

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

RICHARD D. CLAY et. al,)	
Plaintiffs,)	
)	
v.)	Case No. 09-4095-CV-C-NKL
)	
GEORGE A. LOMBARDI, STEVE)	
LARKINS, JOHN DOES 2-40,)	
Defendants.)	

SUGGESTION OF MOOTNESS

Counsel for plaintiff Richard D. Clay have been informed by the office of Governor Jeremiah W. (Jay) Nixon that the Governor has determined to commute the sentence of Mr. Clay to life in prison without parole.

Counsel therefore withdraw their pending motion for stay as moot.

Respectfully submitted,

/s/ Jennifer Herndon

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing pleading was served upon opposing counsel Andrew Hassell, Asst. Atty. Gen., and counsel for co-plaintiffs via this Court's electronic filing system on January 10, 2011.

/s/ Elizabeth Unger Carlyle

ELIZABETH UNGER CARLYLE